

JUVENILE JUSTICE

in California

2004



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Juvenile Justice in California, 2004

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JUVENILE JUSTICE IN CALIFORNIA, 2004

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The role of the Criminal Justice Statistics Center is to:

- Collect, analyze, and report statistical data which provide valid measures of crime and the criminal justice process.
- Examine these data on an ongoing basis to better describe crime and the criminal justice system.
- Promote the responsible presentation and use of crime statistics.

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Introduction

Juvenile Justice in California, 2004 is organized to display the flow of the juvenile justice process and provide specific information on the juvenile population, race/ethnic groups, gender, number of arrests, referrals to probation departments, juvenile court dispositions, offenses, and dispositions for those juveniles tried in adult courts.

The reader should also know that the California Department of Justice, Criminal Justice Statistics Center (CJSC) is required by statute to collect, tabulate, analyze, and interpret data that describe the administration of juvenile justice in California. To aid in the collection of data, Welfare and Institutions Code section 285 provides that "...all probation officers will make such periodic reports to the CJSC as required...." Penal Code section 13012 subdivision (d) requires CJSC to include the administrative actions taken by law enforcement, judicial, penal, and correctional agencies in the juvenile justice system. Penal Code section 13012.5 also requires the inclusion of fitness hearing information and outcomes, direct filings in adult criminal court, and the outcomes of those cases involving minors who are prosecuted in adult criminal courts in the annual report to the Legislature.

This report is based on data submitted by 52 of California's 58 county probation departments representing approximately 92 percent of the state's population. Of the remaining six counties, Del Norte, Plumas, San Joaquin, and Sierra were unable to provide any data, while Riverside and Ventura only provided partial data for 2004. Therefore, the data from these counties are not included in this report.

The presentation of data in this report is organized to display the flow of the juvenile justice process. Each section examines the relevant data as follows:

- Arrests by gender, age, race/ethnic group, offense, and disposition.
- Referrals by gender, age, race/ethnic group, offense, and disposition.
- Petitions by gender, age, race/ethnic group, offense, and disposition.
- Adult dispositions by gender, age, race/ethnic group, offense, and disposition.
- Minority contact by race/ethnic group.

The subjectivity of the classification and labeling process must be considered in the analysis of race/ethnic group data. As commonly used, race refers to large populations that share certain similar physical characteristics such as skin color. Because these physical characteristics can vary greatly within groups as well as between groups, determination of race is frequently, by necessity, subjective. Ethnicity refers to cultural heritage and can cross racial lines. For example, the ethnic designation "Hispanic" includes persons of any race. Most commonly, self identification of race/ethnicity is used in the classification and labeling process.

Comparisons between 2002 and 2004 data are presented in this report at key decision points in the juvenile justice process; i.e., law enforcement, probation department, and juvenile court. Comparisons at all points in the process or for all data are not presented because of changes in the number of reporting probation departments and changes in the number of reportable offenses. In 2002, only the most serious offenses were reported; in 2004, up to five offenses could be reported.

The offenses presented in this report were grouped into the categories of person, property, drug, public order, and status offenses. The use of these categories is intended to provide a valid and comparable measure of offenses and the juvenile justice process.



This logo, which appears repeatedly throughout the report, will alert the reader to featured analyses or items of special interest.

Highlights

ARRESTS

In 2004, misdemeanor arrests exceeded felony arrests by more than two to one (60.0 vs. 26.4 percent) and status offense arrests by more than four to one (60.0 vs. 13.6 percent).

In 2004, juveniles aged 15-17 were arrested 2.5 times more than juveniles aged 12-14 (69.6 vs. 28.2 percent).

REFERRALS

Of those receiving informal probation, four times as many whites as blacks received probation (39.7 vs. 9.7 percent).

PETITIONS

Of those juveniles represented by counsel, three times as many juveniles aged 15-17 were represented by counsel as those aged 12-14 (70.0 vs. 19.2 percent).

Of those juveniles receiving informal probation, twice as many juveniles aged 15-17 were given informal probation as those aged 12-14 (60.3 vs. 30.2 percent).

ADULT DISPOSITIONS

Of the juveniles convicted in criminal court, more than 8 out of 10 (85.4 percent) were male.

MINORITY CONTACT

When comparing the rate of transfers to adult court by race/ethnic group, blacks, Hispanics, and Asians exceeded whites by more than three to one (3.71, 3.21, and 3.95, respectively).

Juvenile Justice System, 2004 Fallout Chart

The juvenile justice system in California differs from the adult system in the type of offenders received and the manner in which they are processed. The juvenile system primarily deals with persons under 18 years of age who have either violated criminal statutes or have committed "status offenses." Status offenses are acts that are offenses only when committed by a juvenile, such as incorrigibility, truancy, running away, and curfew violations.

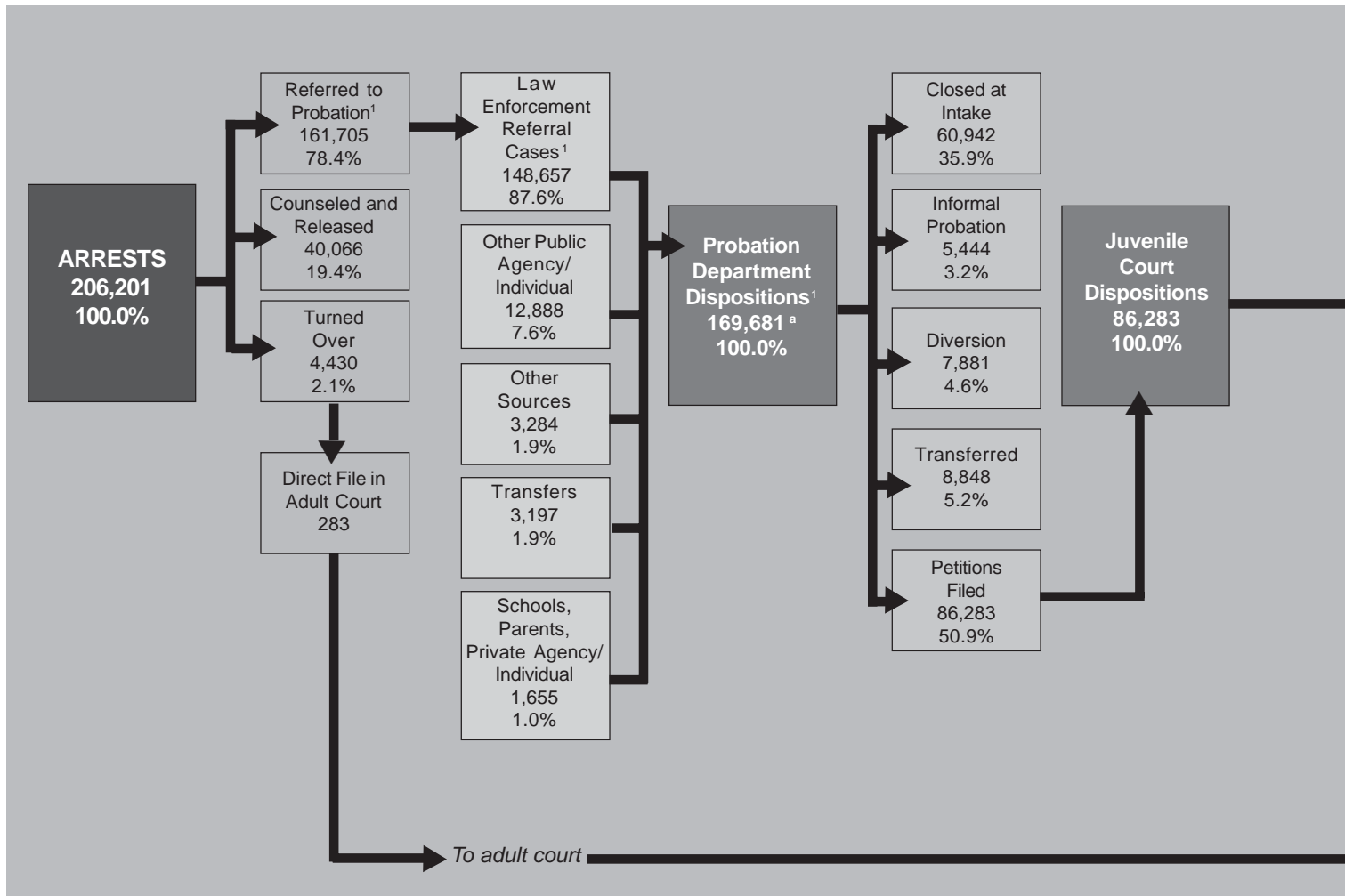
Arrests of law violators and status offenders are received from law enforcement agencies throughout California. The law enforcement agency may refer the juvenile to the probation department, counsel and release, or turn the juvenile over to another law enforcement jurisdiction. The law enforcement agency, given the severity of the crime, may refer the juvenile offender to the District Attorney for direct filing in adult court.

Referrals of law violators and status offenders to probation departments are from law enforcement, other public agencies or individuals, other sources, transfers from other counties or states, or from schools, parents, or private agencies or individuals.

The accompanying fallout chart depicts the path of a juvenile through the juvenile justice system in California from arrest to final disposition, including the outcomes of juvenile cases transferred to the adult system for prosecution.

See Chart ➡

FIGURE 1
JUVENILE JUSTICE SYSTEM, 2004
FALLOUT CHART



Source: Tables 1, 2, and 4.

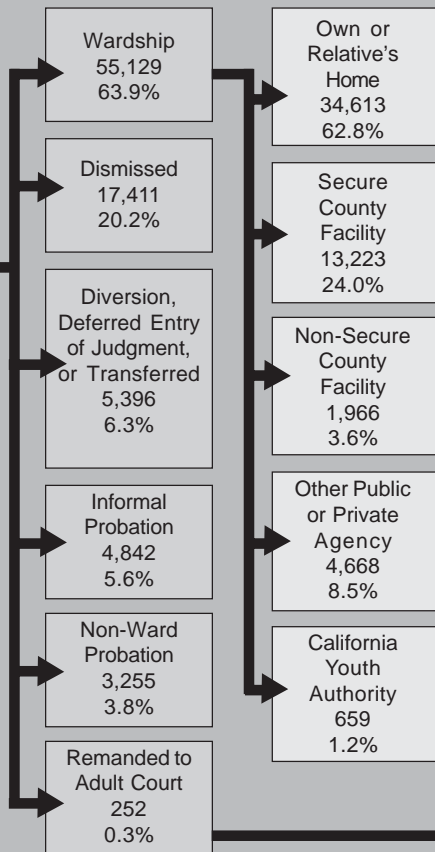
Note: Percentages do not equal 100.0 because of rounding.

¹The arrest data are reported by law enforcement agencies, whereas law enforcement referral data are reported by probation departments. Comparisons between arrest data and referral data should not be made because of differences in the units of count between the two sources. See Appendix 2, page 125, for more detail.

^aIncludes the 283 juveniles sent directly to adult court.

^bIn 2004, probation departments reported information on 535 transfers to the adult system. The adult disposition information being discussed here is for the 1,590 dispositions received in 2004.

Juvenile Justice in California, 2004



- Typically, referrals are made to the probation department in the juvenile's county of residence. The majority come from police and sheriff's departments (87.6 percent in 2004), with the remainder coming from other sources.
- Probation departments decide how to process referred cases. A case may be closed or transferred, a juvenile may be placed on informal probation or in a diversion program, or a petition may be sought for a court hearing.
- Most formal juvenile court hearings resulted in the juvenile being made a ward of the court. Most wards (62.8 percent in 2004) were allowed to go home under the supervision of the probation department.
- Juveniles can be transferred to the adult criminal justice system for prosecution by failing a fitness hearing in the juvenile court or sent directly by the District Attorney. Less than two-thirds of dispositions received in 2004 resulted in a conviction (66.0 percent).

Juveniles to Adult Court

